

State of Wisconsin



1997 Assembly Bill 364

Date of enactment: **June 12, 1998**
Date of publication*: **June 25, 1998**

1997 WISCONSIN ACT 278

AN ACT *to amend* 100.48 (4) (a); and *to create* 100.48 of the statutes; **relating to:** tampering with hour meters of farm equipment and providing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 100.48 of the statutes is created to read:

100.48 Hour-meter tampering. (1) In this section:

(a) "Farm equipment" means a tractor or other machinery used in the business of farming.

(b) "Hour meter" means an instrument on a piece of farm equipment that measures and records the actual hours of operation of the piece of farm equipment.

(2) No person may, either personally or through an agent, remove, replace, disconnect, reset, tamper with, alter, or fail to connect, an hour meter with the intent to defraud by changing or affecting the number of hours of operation indicated on the hour meter.

(3) (a) Nothing in this section shall prevent the service, repair or replacement of an hour meter if the number of hours of operation indicated on the hour meter remains the same as before the service, repair or replacement. If an hour meter is incapable of registering the same number of hours of operation as before its service, repair or replacement, the hour meter shall be adjusted to read zero, and a sticker shall be affixed by the owner of the piece of farm equipment or an agent, in proximity to the hour meter, specifying the number of hours of operation recorded on the hour meter prior to its service, repair or replacement and the date on which it was serviced, repaired or replaced. No person who services, repairs or re-

places an hour meter that is incapable of registering the same number of hours of operation as before such service, repair or replacement may fail to adjust the hour meter to read zero or fail to affix the sticker required by this paragraph.

(b) No person may, with intent to defraud, remove, replace or alter a sticker affixed to an hour meter as required under par. (a).

(4) (a) Any person who violates sub. (2) may be fined not more than \$5,000 or imprisoned for not more than one year in the county jail, or both, for each violation.

(b) Any person who violates sub. (3) (a) may be required to forfeit not more than \$500 for each violation.

SECTION 2. 100.48 (4) (a) of the statutes, as created by 1997 Wisconsin Act (this act), is amended to read:

100.48 (4) (a) Any person who violates sub. (2) or (3) (b) may be fined not more than \$5,000 or imprisoned for not more than one year in the county jail, or both, for each violation.

SECTION 3. Initial applicability.

(1) The treatment of section 100.48 (1) and (2) of the statutes and the creation of section 100.48 (4) (a) of the statutes first apply to hour meters that are removed, replaced, disconnected, reset, tampered with or altered or have failed to be connected on the effective date of this subsection.

(2) The treatment of section 100.48 (3) and (4) (b) of the statutes first applies to stickers affixed to hour meters

* Section 991.11, WISCONSIN STATUTES 1995-96: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

that are removed, replaced or altered on the effective date of this subsection.

SECTION 4. Effective dates. This act takes effect on the day after publication, except as follows:

(1) The treatment of section 100.48 (3) and (4) (b) of the statutes, the amendment of section 100.48 (4) (a) of the statutes and SECTION 3 (2) of this act take effect on the first day of the 7th month beginning after publication.
